

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

EVELYN IRELAND, an individual,

Civil File No. 12-2467 (RHK/TNL)

Plaintiff.

vs.

**DECLARATION OF
KEVIN DEMERITT**

LEAR CAPITAL, INC., a California Corporation; LEAR FINANCIAL, INC., a California corporation; JOANNE VERBON, an individual; and BRADFORD KAYE, an individual,

Defendants.

I, KEVIN DEMERITT, declare:

1. I am an officer of and the principal owner of Defendant Lear Capital, Inc. ("Lear Capital"), one of the named defendants in this Action. I have personal knowledge of the following facts and, if called and sworn as a witness, could and would competently testify thereto.

2. Between June, 1997, when it was first incorporated, and December, 2007, Lear Capital was known as Lear Financial, Inc. ("Lear Financial"). In December, 2007, under my supervision, Lear Financial changed its name to Lear Capital. Pursuant to California law, the name change was effectuated by amending the articles of incorporation to reflect the company's change of name, and filing those articles and other appropriate paperwork, with the California Secretary of State. A true and correct copy of the referenced Amendment to the Articles of Incorporation is attached hereto as Exhibit 1. Hereinafter, Lear Capital and Lear Financial are

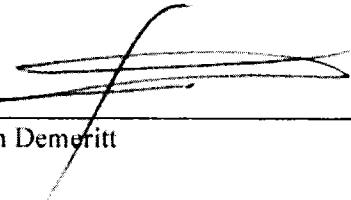
referred to simply as Lear.

3. I have read Plaintiff Evelyn Ireland's Complaint in this matter. All customers purchasing numismatic or semi-numismatic coins from Lear are required to execute an agreement governing the terms of the transaction and future transactions with Lear. Plaintiff signed Lear's standard agreement in effect at the time – which was entitled Shipping and Account Agreement (the "Account Agreement"). A true and correct copy of the Account Agreement signed by Plaintiff is attached hereto as Exhibit 2.

4. The other two defendants named in this action, Joanne Verbon and Bradford Kaye, are employees of Lear Capital.

I declare under penalty of perjury under the laws of Minnesota, California, and the United States of America that the preceding is true and correct.

Dated: October 4, 2012



Kevin Demeritt